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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,231	04/30/2001	Arvind Halliyal	F0630	3855

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EXAMINER

BARAN, MARY C

ART UNIT PAPER NUMBER

2857

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/845,231

Applicant(s)

HALLIYAL ET AL.

Examiner

Mary Kate B Baran

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7, 28, 29 and 35-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 28, 29 and 35-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is responsive to the Amendments filed 10 December 2004. Claim1-5, 7, 28, 29 and 35-37 are pending. Claims 1, 28, 35 and 36 have been amended.
2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 5 and 35-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Maguire et al. (U.S. Patent No. 6,038,525) (hereinafter Maguire).

Referring to claim 1, Maguire teaches a system for controlling a thin film deposition process, comprising: one or more thin film components operative to deposit a thin film on one or more portions of a wafer (see Maguire, Figure "Begin Deposition of Film"); a thin film deposition component driving system for driving the one or more deposition components (see Maguire, column 3 lines 7-15); a system for directing light on to the deposited thin film and collecting light reflected from the deposited thin film (see Maguire, Figure 8, "Acquire Response Data"); scatterometry system adapted to

detect structural irregularities associated with the deposited thin film by comparing reflected light data associated with the deposited thin film with a database comprising known thin film reflecting light signatures (see Maguire, Figure 8, column 4 lines 12-27); and a processor operatively coupled to the monitoring system and the thin film deposition component driving system, wherein the processor determines deposition parameter adjustments to the one or more deposition components based at least in part upon data received from the scatterometry system (see Maguire, Figure 8, column 5 lines 61-67).

Referring to claim 2, Maguire teaches that the monitoring system comprises a scatterometry system for processing the light reflected from the thin film (see Maguire, column 3 lines 42-52).

Referring to claim 4, Maguire teaches that the processor determines the presence of an unacceptable thin film deposition condition for at least a portion of the wafer according to the data received from the monitoring system (see Maguire, column 6 lines 13-21).

Referring to claim 5, Maguire teaches that the deposition parameter adjustments comprise at least one of pressure (see Maguire, column 6 lines 23-31), flow rates of reacting species (see Maguire, column 5 lines 61-67), flow rate of carrier gas (see

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Maguire, column 6 lines 1-6), and temperature or a combination thereof (see Maguire, column 6 lines 1-6).

Referring to claim 35, Maguire teaches a method for regulating a process for depositing a thin film (see Maguire, column 2 lines 39-48), comprising: using one or more deposition components to deposit a thin film (see Maguire, Figure 8); determining the characteristics of the deposited thin film utilizing reflected light and comparing to known thin film reflected light signatures (see Maguire, Figure 8); and using a processor to coordinate control of the one or more deposition components to deposit subsequent thin film based at least in part of the characteristics of the deposited thin data gathered from comparing the reflected light to known thin film light signatures (see Maguire, Figure 8, column 5 lines 61-67).

Referring to claim 36, Maguire teaches a system for regulating a process for depositing a thin film (see Maguire, column 2 lines 39-48), comprising: means for using one or more deposition components to deposit a thin film (see Maguire, Figure 8); means for determining the acceptability of the thin film deposition utilizing reflected light and comparing to known thin film reflected light signatures (see Maguire, Figure 8); and means for using a processor to coordinate control of the one or more deposition components to deposit the thin film a processor based at least in part of the acceptability of the thin film deposition as determined by comparing the known thin film signatures to reflected light (see Maguire, Figure 8, column 5 lines 61-67).

Referring to claim 37, Maguire teaches a system that control the deposition of a thin film of a wafer (see Maguire, column 2 lines 39-48), comprising: at least one deposition component employed to deposit a thin film of a wafer (see Maguire, Figure 8); a coherent light source directed onto the thin film (see Maguire, column 3 lines 28-41); a receiving component that collects light reflected from the thin film (see Maguire, column 3 lines 42-49); a scatterometry system that analyzes the reflected light to determine one or more properties of the thin film (see Maguire, column 3 lines 46-52); and a processor that controls the at least one deposition component based at least in part on data received from the scatterometry system (see Maguire, Figure 8, column 5 lines 61-67).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maguire et al. (U.S. Patent No. 6,038,525) (hereinafter Maguire) in view of Moslehi (U.S. Patent No. 5,270,222).

Referring to claim 3, Maguire teaches all the features of the claimed invention except that structural irregularities associated with the thin film include large grains.

Moslehi teaches that structural irregularities associated with the thin film include large grains (see Moslehi, column 14 lines 58-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maguire to include the teachings of Moslehi because detecting large grains would have allowed the skilled artisan to generate a diagnosis or prognosis of any fabrication process abnormalities (see Moslehi, column 3 lines 48-57).

5. Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maguire et al. (U.S. Patent No. 6,038,525) (hereinafter Maguire) in view of Gevelber et al. (U.S. Patent No. 6,162,488) (hereinafter Gevelber).

Referring to claim 28, Maguire teaches a method for monitoring and controlling the deposition of a thin film (see Maguire, column 2 lines 39-48)), comprising: depositing a thin film on a wafer (see Maguire, Figure 8 "Begin Deposition of Film"); directing a light onto the thin film (see Maguire, column 3 lines 28-41); collecting a light reflected from the thin film (see Maguire, column 3 lines 42-49); employing scatterometry means to analyze the reflected light to determine one or more properties of the thin film (see Maguire, column 3 lines 46-52); monitoring structural irregularities associated with the deposited thin film by comparing reflected light data associated with the deposited thin film with a database comprising known thin film reflected light signatures (see Maguire, column 4 lines 12-27); and controlling a deposition component to deposit thin film on the wafer; and using a processor to control the at least one deposition component based at least in part on data received from the scatterometry means (see Maguire, Figure 8,

column 5 lines 61-67). Maguire does not teach utilizing a non-linear training system which facilitates determining deposition parameter adjustments according to the properties of the thin film.

Gevelber teaches utilizing a non-linear training system which facilitates determining deposition parameter adjustments according to the properties of the thin film (see Gevelber, column 16 lines 2-22 and column 17 lines 56-65).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Maguire to include the teachings of Gevelber because having a non-linear system would have allowed the skilled artisan to operate the deposition system over a wide range of operating conditions (see Gevelber, column 19 lines 31-36).

Referring to claim 29, Maguire teaches that the properties include at least one of thickness (see Maguire, column 6 lines 13-21).

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maguire et al. (U.S. Patent No. 6,038,525) (hereinafter Maguire) in view of Robinson et al. (U.S. Patent No. 5,629,137) (hereinafter Robinson).

Referring to claim 7, Maguire teaches all the features of the claimed invention except that the processor partitions the mask into a plurality of grid blocks and makes a determination of deposition conditions at the one or more grid blocks.



Robinson teaches that the processor partitions the mask into a plurality of grid blocks and makes a determination of deposition conditions at the one or more grid blocks (see Robinson, column 11 lines 27-50).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Maguire to include the teachings of Robinson because partitioning the mask and determining thickness at the grid blocks would have allowed the skilled artisan to enhance the physical robustness of reticle mask (see Robinson, column 40-44).

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-5, 7, 28, 29 and 35-37 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Thakur et al. teach a reflectance method for evaluating the surface characteristics of opaque materials.

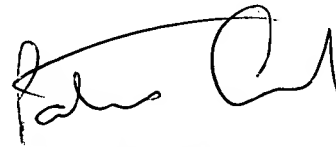
(b) Maguire et al. teach a surface flaw detection using spatial Raman-based imaging.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Kate B Baran whose telephone number is (571) 272-2211. The examiner can normally be reached on Monday - Friday from 9:00 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S Hoff can be reached on (571) 272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

07 January 2005



PATRICK ASSOUD  
PRIMARY EXAMINER